

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
	CLASS	SUBCLASS	EXAMINER	ART UNIT
4415.29USD1			Unknown	

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 321728089 US

Date of Deposit: November 12, 2003

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:

Name: Teresa Anderson

22387 U.S. PTO
10/712169



DIVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a divisional application under 37 CFR § 1.53(b) of Serial No. 09/787,668, filed on June 8, 2001 entitled PROCESS FOR PRODUCING MIDDLE DISTILLATES AND MIDDLE DISTILLATES PRODUCED BY THAT PROCESS by the following inventor(s):

1. ☒ Enclosed is the application; including the specification, claims, drawings, a signed oath or declaration from the prior application. The continuing application is as follows: 18 pages of specification, 22 claims, 1 page of abstract, 1 sheets of drawings, and 6 pages of oath or declaration.
- ☒ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
2. ☐ Cancel original claims of this application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
3. ☒ The filing fee is calculated below:

CLAIMS AS FILED

NUMBER FILED	NUMBER EXTRA		RATE	FEE
TOTAL CLAIMS: 22	-20	2	x	\$18.00
INDEPENDENT CLAIMS 1	-3	0	x	\$86.00
			BASIC FILING FEE:	\$770.00
			TOTAL FILING FEE:	806.00

☐ Small entity status is claimed pursuant to 37 CFR 1.27.

4. ☒ Payment of fees:
☒ Attached is a check in the amount of 806.00
☐ Please charge Deposit Account No. 13-2725.
5. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.
6. ☒ Amend the specification by inserting before the first line the sentence:

"This application is a divisional of application Serial No. 09/787,668, filed June 8, 2001, which application(s) are incorporated herein by reference."
7. ☐ A set of formal drawings (sheets) is enclosed.
8. ☒ Priority of application Serial No. 98/9038, filed on October 5, 1998 in South Africa, is claimed under 35 U.S.C. 119.
☒ The certified copy has been filed with the International Bureau in Application No. PCT/ZA99/00096 filed September 17, 1999.
9. ☒ The prior application is assigned of record to Sasol Technology (PTY) Ltd. located at 1 Sturdee Avenue, Rosebank, Johannesburg, South Africa 2196.
10. ☒ The Power of Attorney in the prior application is to:

Merchant & Gould P.C.
Minneapolis, MN 55402-2215
11. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
☐ Fee for excess claims is attached.
12. ☐ A petition and fee has been filed to extend the term in the prior application until . A copy of the petition for extension of time in the prior application is attached.
13. ☐ The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
14. ☐ A Nonpublication Request under 37 CFR 1.213(a) is enclosed.
15. ☒ Also Enclosed: Application Data Sheet, Information Disclosure Statement, Form 1449, 3 references, International Search Report, Copy of Revocation and Power of Attorney filed in Parent Application,
16. ☒ Address all future communications to the **Attention of Brian H. Batzli** (may only be completed by attorney or agent of record) at the address below.

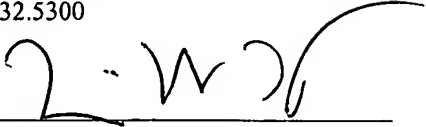
17. ☒ A return postcard is enclosed.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612.332.5300



Date: November 12, 2003



Brian H. Batzli
Reg. No. 32,960
BHB/pjk

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A Professional Corporation

November 12, 2003

SENT VIA FAX: 27 12 342 3027/ 2 Page(s)
CONFIRMATION VIA AIRMAIL

Janusz Luterek
Hahn & Hahn
PO Box 13575 Hatfield 0028
Docex 219 Pretoria
SOUTH AFRICA

Re: M&G Ref. No.: 4415.29USD1
Client Ref. No. Div of 09/787668/JL/ln
U.S. Patent Application for: PROCESS FOR PRODUCING MIDDLE DISTILLATES

Dear Janusz:

Thank you for your e-mail of October 3, 2003, regarding the above-identified patent application. As instructed, we prepared and filed a Divisional application with the U.S. Patent and Trademark Office on November 12, 2003. With confirmation copy of this letter we enclose a copy of the documents we filed. The formal notice of filing will be forwarded to you when we receive it. The application will be taken up for examination in its regular order, and we will keep you advised.

As you know, there is a continuing duty of disclosure in the United States. Consequently, if you or your client are aware of any prior art worldwide or any public uses or sales or offers for sales in the United States prior to the priority date, please provide us appropriate information so that an Information Disclosure Statement can be filed.

We also prepared and filed an Information Disclosure Statement based on the references cited in the specification and International Search Report. A copy of the IDS, as filed, is enclosed for your records. We were not, however, able to locate two references cited in the specification. Please provide us with the relevant portions of the CARB (California Air Resources Board 1993 Specification) as well as a copy of pages 265-278 of the **Catalysis Reviews: Science and Engineering** (vol. 23, no. 1 & 2) so that we may file a Supplemental IDS.

Minneapolis/St. Paul
Denver
Seattle
Atlanta
Washington, D.C.

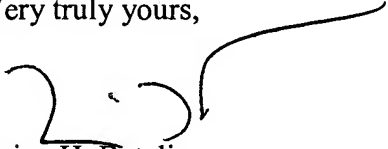
November 12, 2003

Page 2

We will keep you informed regarding prosecution of this application. If you have any questions or comments, do not hesitate to contact us.

Our debit note is enclosed.

Very truly yours,



Brian H. Batzli

BHB/pjk

Enclosures